C. 482 No. 96 of 2001
(Old no. 6887/1991)
Hon'ble Irshad Hussain, J.

None appeared for the petitioners. The learned AGA present. Respondent no. 2 had died and confirmation report has been received from the CJM concerned.

Complainant had filed a written complaint alleging his defamation by the accused-petitioners. The written compliant was dismissed under Section 203 Cr. P.C. However on a revision being preferred by the complainant, the order was set aside by the learned Sessions Judge, Nainital on 20.6.1987 and the matter was remanded to the learned Magistrate to proceed with the complainant according to law after giving opportunity to the complainant to adduce further evidence. Since the complainant had died and the allegation was of defamation the cause to prosecute the alleged wrong doer (petitioners) does not survive. Therefore the petition is allowed and complaint registered as case no. 1273 of 1985 Amrik Singh under Section 500 I.P.C. before the Judicial Magistrate 1st class, Kashipur, Nainital is quashed.

17.10.2003
Rawat

(Irshad Hussain, J.)